

THIS INDENTURE made the 14th day of January, 1948 between the United States of America, acting by and through the War Assets Administrator under and pursuant to the authority contained in Public Law 537, 80th Congress approved May 19, 1948, Party of the First Part, and the State of Arizona, Party of the Second Part.

W I T N E S S E T H

That the said party of the first part for and in consideration of the use and maintenance by the party of the second part of the property hereinafter described of a reserve for the conservation of wildlife other than migratory birds, and the benefits which shall accrue to the United States from the continued use of such property for such purposes, does remise, release and quitclaim subject to the reservations, conditions, limitations and conveyances hereinafter contained unto the said Party of the Second Part and its successors and assigns, for the use and benefit of the state agency, having the management for the conservation of wild life, other than migratory birds, all of its right, title, interest, claim and demand in and to the following described property situate in the County of Cochise, State of Arizona, to-wit:

D E S C R I P T I O N

Beginning at survey station, designated as Corner No. 1, being the Southeast corner of Section 31 in Township 21 South, Range 19 East on the Military Reservation boundary line, which is the true point of beginning; thence North 1° 14' East, 124.70 feet; thence North 2° 06' East, 18,562.70 feet to a point sometimes designated as Corner No. 2; thence North 82° 32' East, 34,458.20 feet, to a point sometimes designated as Corner No. 3; thence South 21° 23' East, 33,805.20 feet, to a point designated as Corner No. 4; thence South 43° 38' East, 11,321.70 feet to a point designated as Corner No. 5; thence South 34° 24' West, 16,816.80 feet to a point designated as Corner No. 6; thence South 56° 50' West, 995.30 feet; thence South 65° 50' West, 303.60 feet; thence South 18° 10' West, 301.00 feet; thence South 67° 40' West, 398.60 feet; thence North 34° 40' West, 731.90 feet; thence South 34° 20' West, 1,927.20 feet; thence South 67° 00' West, 244.90 feet; thence South 83° 45' West, 318.80 feet; thence South 87° 20' West, 380.80 feet; thence South 17° 20' West, 755 feet; thence South 79° 06' West, 1,351.70 feet; thence South 67° 30' West, 1,197.90 feet; thence North 81° 05' West, 646.80 feet; thence South 49° 50' West, 580.80 feet; thence South 11° 30' West, 508.20 feet; thence South 66° 35' West, 704.90 feet; thence North 72° 50' West, 696.30 feet; thence South 44° 10' West, 1,379.40 feet; thence South 54° 10' West, 577.30 feet; thence South 4° 10' East, 2,283.60 feet; thence South 45° 30' West, 485.10 feet; thence South 17° 35' West, 739.20 feet; thence South 32° 30' East, 943.80 feet; thence South 35° 30' West, 2,438.70 feet; thence South 8° 50' East, 1,742.40 feet; thence South 44° 50' West, 389.44 feet; thence South 77° 15' West, 871.20 feet; thence North 61° 50' West, 594.10 feet; thence South 70° 50' West, 414.50

feet; thence North 54° 45' West, 502.90 feet; thence South 88° 40' West, 3,406.30 feet; thence South 88° 40' West, 1,377.40 feet; thence North 65° 40' West, 363 feet; thence North 84° 30' West, 348 feet; thence South 70° 00' West, 201.30 feet; thence North 38° 41' West, 1,001.20 feet; thence North 51° 16' West, 672.50 feet; thence North 47° 08' West, 384.10 feet; thence North 30° 30' West, 528 feet; thence North 56° 58' West, 749.10 feet; thence North 32° 33' West, 254.10 feet; thence North 31° 58' West, 1,152.40 feet; thence North 38° 24' West, 1,531.90 feet; thence North 39° 53' West, 520.10 feet; thence North 32° 45' West, 425.70 feet; thence North 46° 30' West, 201.30 feet; thence South 79° 48' West, 1,273.80 feet; thence North 46° 46' West, 1,336.50 feet; thence North 13° 19' West, 1,090.30 feet; thence North 11° 20' West, 869.70 feet; thence North 34° 58' East, 1,521.30 feet; thence North 13° 33' West, 295 feet; thence North 38° 00' West, 251 feet; thence North 28° 30' East, 814.40 feet; thence North 1° 30' East, 615.10 feet; thence North 1° 12' East, 290.00 feet; thence to a Northwesterly direction across the top of the Huachuca Mountains Watershed divide line to the true point of beginning, designated as Corner No. 1.

EXCEPTING therefrom a parcel of land located within the area described by the above mentioned mates and bounds and more particularly described as follows:

That land situated north of line running southeasterly in a straight line from southeast corner Section 31, T. 21 S., R. 19 E., G. & S. R. Mer. to Corner No. 5 of Reservation boundary, also being common corner to Reservation boundary and Section 13 & 24, T. 22 S., R. 20 E. G. & S. R. Meridian, and south of a line running northeasterly in a straight line from aforementioned Section Cor. 31 to a point on the Reservation boundary common to said Reservation boundary and Sections 21 and 28, T. 21 S., R. 20 E., G. and S. R. Meridian; and lying east of a line running southerly in a straight line from south section corner common to 11 & 12, and north boundary of the Reservation, T. 21 S., R. 19 E., G. & S. R. Mer. to the northeast corner of Section 3, T. 23 S. R. 19 E. G. & S. R. Mer. and bounded on the east by the easterly Military Reservation boundary.

TOGETHER WITH the following buildings, located on that parcel of land hereinabove described which is excepted from this conveyance, to be used in place, subject to all of the conditions, reservations, limitations and covenants hereinafter contained:

Bldg. No.	Description	Size
T-1039	Garage (2 car)	24' x 24'
1052	Officer's Quarters	31' x 43'
1068	" "	58' x 69'
1069	" "	49' x 78'
1100	Garage	23' x 23'
1112	"	12' x 22'
1113	Coal Bin	5' x 8' x 4'
1114	Maids Quarters	14' x 16'
1116	Officer's Quarters	24' x 4'
1117	Coal Bin	8' x 5' x 4'
1118	"	8' x 5' x 4'
8023	Service Club #1, 2 story	60' x 101'
14018	Warehouse	60' x 150'
14019	"	60' x 150'
14020	"	60' x 150'
14021	"	60' x 150'
14022	"	60' x 150'
14023	"	60' x 150'

TOGETHER WITH appropriate rights for the use of the land underlying the above enumerated buildings and right of ingress and egress through the main (East gate) of the land area hereinabove described, but expressly excepted from this conveyance.

RESERVING, however, to the party of the first part, its successors and assigns, those developed springs, and the water rights appertaining thereto, located on the land herein conveyed and known as Garden Canyon and Huachuca Canyon, and all pipe lines connecting the aforesaid springs with water reservoirs located on that portion of the area excepted from this conveyance as above described and known as Reservoir Hill; and RESERVING, further, to the party of the first part, its successors and assigns, easements on, over and across a strip of land 15 feet on either side of the said pipelines for the use, operation, maintenance, repair and relocation of the above-mentioned pipelines as they now exist, together with rights of ingress and egress for maintenance, operation, repair and relocation thereof.

The party of the second part, its successors and assigns shall have the right to tap into the above-mentioned water pipelines without any cost or charge for the purpose of furnishing water to the range areas of the property herein conveyed.

Being a part of the same property acquired by the United States of America, and known as Fort Huachuca Military Reservation, and withdrawn from the public domain for military purposes by Executive Order G. O. No. 35, Hdqtrs. Dept. of Arizona, 1881, 29 Oct. 1881 and Executive Order No. 36 Hdqtrs Army ACO 1883.

Pursuant to the provisions of Executive Order 9908 of December 5, 1947 (12 F. R. 8223),

All uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the lands covered by this instrument are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. However, such land may be used, and any rights otherwise acquired by this disposition may be exercised, as if no reservation of such materials had been made; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under the Atomic Energy Act of 1946, as it now exists or may hereafter be amended, such material shall be the property of the United States Atomic Energy Commission, and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect.

120

There is also reserved from the foregoing conveyance all oil, gas, and other minerals in the above land, together with the right of the United States through its authorized agents, representatives, or lessees, to enter upon, at any time, the land and prospect for, mine and remove such minerals.

TO HAVE AND TO HOLD the foregoing described premises, together with all and singular, the appurtenances and privileges thereunto belonging and all the estate, right, title, interest and claim of the party of the first part unto the party of the second part, its successors and assigns forever, subject to the reservations, conditions, limitations and covenants herein contained.

The premises herein conveyed are to be continuously used only as and for the conservation of wildlife, other than migratory birds, and are conveyed upon the condition that in the event they are no longer used for such purpose, the title thereto shall revert to the United States, and upon which reversion the title of the state thereto shall cease and determine and the United States shall have the immediate right of possession thereof.

The premises are hereby conveyed upon the further condition that in the event the President of the United States of America, the Congress thereof, the Secretary of Defense of the United States, or the Secretaries of the Army, Navy or Air Forces, or either of them determines that the said premises are needed for national defense purposes, the title thereto shall revert to the United States, and upon which reversion the title of the state thereto shall cease and determine and the United States shall have the immediate right of possession thereof.

Whenever, pursuant to the provisions of the above Public Law 537, the above premises are transferred, by the terms of this conveyance, the War Assets Administrator, or his successor in function, shall make and have published in the Federal Register an appropriate order which may be revised from time to time in like manner, designating for which of the purposes specified in section 1 of the above Public Law 537, the property so transferred shall be used.

Said land was duly declared surplus and assigned to the War Assets Administrator for disposal pursuant to Reorganization Plan No. 1 of 1947 and War Assets Administration Regulation No. 1, as amended.

IN WITNESS WHEREOF, the UNITED STATES OF AMERICA has caused these presents to be executed and sealed the 14<sup>th</sup> day of January, 1949.

(SEAL)

WITNESSES:

Ernest L. Starchill

UNITED STATES OF AMERICA

By William H. Hall

CITY OF WASHINGTON )  
DISTRICT OF COLUMBIA ) SS.

Before me, the undersigned Madeline O'Brien  
Notary Public in and for the District of Columbia, on this day personally  
appeared Paul D. Matthes <sup>associate</sup> War Assets Administrator,  
known to me to be the person whose name is subscribed to the foregoing in-  
strument and acknowledged to me that he executed the same for the purpose  
and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal  
of office this 17<sup>th</sup> day of January, 1949.



commission expires 8-1-52

Madeline O'Brien  
Notary Public

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Fee \$ 3.20.

Indexed ✓	Compared To	Copied	Blended M
COMPARED INSTRUMENT			

STATE OF ARIZONA, } ss.  
County of Cochise. }

I hereby certify that the within instrument  
was filed and recorded at request of

Surplus Property Agency of Arizona  
1826 W. McDowell Phoenix, Ariz.

MAR 31 1949 9 00AM

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In Book DOCKET 22

on Page 422-426

Witness my hand and Official Seal the day  
and year aforesaid.

P. W. Newbury,

County Recorder

By P. W. Newbury  
County Recorder

